

REMARKS

Telephone Interview with Examiner

Applicants take this opportunity to thank the Examiner for the recent telephone interview dated January 31, 2006 as well as the subsequent telephone conversation of February 14, 2006. Based upon these discussions, Applicants are resubmitting the amendments and remarks of January 13, 2006, with some small alterations. In particular, Applicants have altered the language originally presented in the January 13, 2006 amendments to claims 1 and 3 to provide additional clarity.

Status of the Claims

Claims 1, 3, 4, 6-11, 13 and 15-22 are pending. No new matter has been added by way of the present amendment. For instance, claims 1 and 3 have been amended to include textual subject matter taken from originally filed claims 12 and 14. Claims 1 and 3 have also been amended to provide clarity with respect to the present invention. Claim 4 has been amended to clarify the nature of the "reactive group-containing hydrophobic compound." Lastly, the dependency of claims 13 and 15 has been altered and claims 12 and 14 have been cancelled. Accordingly, no new matter has been added.

Additionally, Applicant respectfully submits that no new issues have been raised by way of the present submission. For instance, the independent claims have been amended such that they are limited by the limitation of originally claim 14. The Examiner has indicated at page 5 of the outstanding Office Action that claim 14 includes allowable subject matter. Accordingly, the incorporation of this subject matter into the independent claims does not present the Examiner

with the burden of additional search and/or consideration. Additionally, claim 4 has been clarified to remove a rejection under 35 U.S.C. §112, second paragraph. Further, by way of the present submission, Applicants are avoiding any potential issues under 35 U.S.C. § 112, second paragraph that might have hypothetically been raised by the previous after final submission. Thus, no new issues have been raised.

Additionally, in the event that the present submission does not place the application into condition for allowance, entry thereof is respectfully requested as placing the application into better form for appeal.

In view of the following remarks Applicant respectfully requests that the Examiner withdrawal all rejections and allow the currently pending claims.

Issues under 35 U.S.C. §112, second paragraph

The Examiner has rejected claims 4, 6-9 and 10 under 35 U.S.C. §112 second paragraph for the reasons recited at page 2 of the outstanding Office Action. Applicant respectfully traverses.

The Examiner asserts that the limitation in claim 4 which recites “wherein the reactive group-containing hydrophobic compound has at least two reactive groups, and at least two vinyloxy groups in the molecule” is indefinite. Applicant traverses and submits that claim 4 has been amended to remove this issue. In particular, claim 4 has been amended to reflect the fact that reactive group-containing hydrophobic has at least two reactive groups that include at least two vinyloxy groups. Accordingly, this rejection is moot. Reconsideration and withdrawal thereof are respectfully requested.

Issues under 35 U.S.C. §102(b) and §103(a)

The Examiner has rejected claims 1, 3, 7, 11-13 and 15-22 under 35 U.S.C. §102(b) as being anticipated by Maemoto, EP 1 132 200 A2 (hereinafter referred to Maemoto).

The Examiner has also rejected claims 1, 3, 7, 11-13 and 15-22 under 35 U.S.C. §103(a) as being obvious over Maemoto.

Applicant respectfully traverses each of the above rejections.

At page 5 of the outstanding Office Action the Examiner indicated that claim 14 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicant respectfully submits that the textual subject matter of claim 14 has been added to independent claims 1 and 3. Some small alterations have been inserted for clarity, but the allowable nature of this language remains. All other rejected claims are dependent upon these independent claims. Thus, Applicant respectfully submits that the rejections based upon Maemoto are moot. Reconsideration and withdrawal of the above rejections are therefore respectfully solicited.

In view of the above, Applicant respectfully submits that the present claims define allowable subject matter. Accordingly, the Examiner is respectfully requested to withdrawal all rejections and allow the currently pending claims.

Clarification Concerning Information Disclosure Statement filed on June 8, 2005

On June 8, 2005, Applicant filed an Information Disclosure Statement enclosing a PTO/SB/08, which listed three references. Applicant notes that the Examiner has crossed out the reference EP 1132200A2 without any explanation. However, Applicant assumes that this is due to the fact that this reference was listed on the PTO-892 attached to the Office Action dated March 17, 2005. Accordingly, Applicant clarifies for the record that this reference, although crossed out, has been considered.

If the Examiner has any questions or comments, please contact Craig A. McRobbie, Registration No 42,874 at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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